**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---|---|---|
| ANWAR, et al. v. FAIRFIELD GREENWICH LIMITED, et al. | : | Master File No. 09 CV 0118 (VM) |
| | : | 09 CV 2588 (VM) (Pierce Action) |

## DECLARATION OF ROBERT A. WALLNER

ROBERT A. WALLNER, under penalty of perjury, declares that the following is true:

1. I am a member of the Bar of this Court and of the firm of Milberg LLP, One Pennsylvania Plaza, New York, NY 10119, attorneys for the plaintiffs in 09 CV 2588 (VM) ("*Pierce* Action"). I submit this declaration in support of the motion of the *Pierce* plaintiffs, among other things, to remand the *Pierce* Action to the Supreme Court of the State of New York, Court of New York.

2. Attached hereto as Exhibit A is a true and correct copy of a letter to me, dated April 14, 2009, from Peter E. Kazanoff, Esq., of Simpson Thacher & Bartlett LLP, attorneys for defendant Fairfield Greenwich Advisors LLC.

Dated: April 14, 2009

Robert A. Wallner

DOCS\469058v1

Dockets.Justia.com

# EXHIBIT A

SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, N.Y. 10017-3954
(212) 455-2000

FACSIMILE (212) 455-2502

DIRECT DIAL NUMBER
(212) 455-35225

E-MAIL ADDRESS
PKAZANOFF@STBLAW.COM

BY EMAIL

April 14, 2009

Re: *Pierce et al. v. Fairfield Greenwich Group et al.*, Docket No. 09 CV 2588 (VM)

Robert A. Wallner
Milberg LLP
One Pennsylvania Plaza
New York, NY 10119

Dear Robert:

Per your request, I am writing to confirm the number of current limited partners in Greenwich Sentry Partners, L.P. (the "Fund") is twenty nine, and the number of limited partners who have fully redeemed their interests in the Fund since it was established is five.

Sincerely,

Peter E. Kazanoff